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ATTORNEY DOCKET NO: 70208

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BROCK
Serial No : 09/904,276
Confirm. No : 2061
Filed : July 12, 2001
For : PROCESS AND BLANK...
Art Unit : 3726
Examiner : Irene Cuda Rosenbaum
Dated : October 21, 2002

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

RESPONSE TO REQUIREMENT UNDER 35 USC § 121

In response to the Requirement dated September 25, 2002, Applicant hereby selects Invention II with claims 5 - 7 drawn to a blank for prosecution on the merits.

In reviewing the Restriction Requirement Applicant notes that Invention I is indicated as including "claims 1 - 5 ***". Applicant is unsure of the meaning of the "***". Applicant further does not understand whether claim 5 is considered to be part of Invention I, II or both inventions.

Applicant respectfully requests reconsideration of the restriction requirement. Applicant notes that the Invention of Group I is indicated as drawn to a process of using a blank. Applicant has reviewed claim 1, and notes that claim 1 is related to a process for manufacturing a blank. The inventions of Group II and Group I are set forth in the restriction as being related as product and process of use. This appears to be incorrect. Instead claims 1 and 5 are related

to a process for manufacturing blades and a blank. The statements supporting the restriction therefore do not appear to apply, since the statements are directed to product and process of use.

Applicant further notes that the method and product in the present application are closely related. The method and product of many features in common, in particular the size and/or shape of the blank. It is Applicant's opinion that both the process and blank claims have sufficient features in common so that a single search would be beneficial for considering all of the claims. Furthermore, the close relationship between the method and the blank are such that the method is not useful for a materially different blank. Any product produced by the method would be similar to the product claimed.

If Applicant has incorrectly interpreted the restriction requirement, or there are additional facts which Applicant is unaware of, the Examiner is invited to contact Applicant's representative by telephone to further discuss the restriction requirement. Also if the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone.

At this time Applicant respectfully requests reconsideration and/or clarification of the restriction requirement.

Respectfully submitted
for Applicant,

By: 

Theobald Dengler
Registration No. 34,575
McGLEW AND TUTTLE, P.C.

McGLEW AND TUTTLE, P.C.

REGISTERED PATENT ATTORNEY

JOHN JAMES MCGLEW J.D., NY, NJ, DC BARS

Counselors at Law

PATENT TRADEMARK

THEOBALD DENGLE, PATENT AGENT

HILDA S. MCGLEW M.D., PATENT AGENT

SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827

TEL: (914) 941-5600

FACSIMILE: (914) 941-5855

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Julie Flynn

NAME OF PERSON SIGNING CERTIFICATION

Julie Flynn

SIGNATURE

DATED: October 21, 2002
McGLEW AND TUTTLE, P.C.
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
TELEPHONE: (914) 941-5600
FACSIMILE: (914) 941-5855

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